

06-01-01

A

IN THE UNITED STATES OF AMERICA

PATENT AND TRADEMARK OFFICE

APPLICANTS: John Stephen Cart

TITLE: Composition of Drilling Fluids Comprising Ground Elastomeric Crumb Rubber Material and a Method of Decreasing Seepage and Whole Mud Loss Using Such Composition

DOCKET NO.: 15564-1

BOX PATENT APPLICATION  
ASSISTANT COMMISSIONER FOR PATENTS  
WASHINGTON, D.C. 20231

NEW APPLICATION TRANSMITTAL

Transmitted herewith for filing is the patent application of

Inventor(s): John Stephen Cart

For (title): Composition of Drilling Fluids Comprising Ground Elastomeric Crumb Rubber Material and a Method of Decreasing Seepage and Whole Mud Loss Using Such Composition

1. Type of Application

This new application is for a(n)

(check one applicable item below)

- ☒ [X] Original (nonprovisional)
- ☐ [ ] Design
- ☐ [ ] Plant
- ☐ [ ] Divisional
- ☐ [ ] Continuation
- ☐ [ ] Continuation-in-part (C-I-P).

2. Benefit of Prior U.S. Application(s) (35 U.S.C. 119(e), 120, or 121)

- ☐ [ ] the new application being transmitted claims the benefit of prior U.S. application(s). Enclosed are ADDED PAGES

FOR NEW APPLICATION TRANSMITTAL WHERE BENEFIT OF PRIOR  
U.S. APPLICATION(S) CLAIMED.

3. Papers Enclosed That Are Required for Filing Date under 37  
C.F.R. 1.53(b) (Regular) or 37 C.F.R. 1.153 (Design)  
Application

- 17 Pages of specification
- 4 Pages of claims
- 1 Pages of Abstract
- 2 Sheets of Drawing

☒ formal

☐ informal

☐ The enclosed drawing(s) are photograph(s), and  
there is also attached a "PETITION TO ACCEPT  
PHOTOGRAPH(S) AS DRAWING(S)." 37 C.F.R. 1.84(b).

4. Additional papers enclosed

☐ Preliminary Amendment

☒ Information Disclosure Statement (37 C.F.R. 1.98)

☒ Form PTO-1449 (PTO/SB/08A and 08B)

☐ Citations

☐ Declaration of Biological Deposit

☐ Submission of "Sequence Listing," computer readable copy  
and/or amendment pertaining thereto for biotechnology  
invention containing nucleotide and/or amino acid  
sequence.

☐ Authorization of Attorney(s) to Accept and Follow  
Instructions from Representative

☐ Petition to Make Special

☒ Request for Non-Publication

5. Declaration or oath

☐ Enclosed

Executed by

09870874 053404  
T0780 T2802880

☐ Inventor(s).

☐ Legal representative of inventor(s).  
37 CFR 1.42 or 1.43.

☐ Joint inventor or person showing a proprietary interest on behalf of inventor who refused to sign or cannot be reached.

☐ This is the petition required by 37 CFR 1.47 and the statement required by 37 CFR 1.47 is also attached, See item 13 below for fee.

☒ Not Enclosed.

☐ Application is made by a person authorized under 37 C.F.R. 1.41(c) on behalf of all the above named inventor(s).

☐ Showing that the filing is authorized. (not required unless called into question. 37 CFR 1.41(d))

6. Inventorship Statement

The inventorship for all the claims in this application are:

☒ The same.

or

☐ Not the same. An explanation, including the ownership of the various claims at the time the last claim invention was made,

☐ is submitted.

☐ will be submitted.

7. Language

☒ English

☐ Non-English

☐ The attached translation is a verified translation.  
37 C.F.R. 1.52 (d).

## 8. Assignment

[ ] is included.

[ ] will follow.

9. Certified Copy

Certified copy(ies) of application(s)

County	Appln. no.	Filed
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County	Appln. no.	Filed
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from which priority is claimed

[ ] is (are) attached.

[ ] will follow.

[illegible]

10. Fee Calculation (37 C.F.R. 1.16)

A. ☒ Regular application

CLAIMS AS FILED

	Number Filed		Number Extra		Rate	Basic Fee 37 CFR 1.16(a)
Total Claims						\$710.00
(37 CFR 1.16(c))	15	- 20 <	0	x	\$18.00	0
Independent Claims						
(37 CFR 1.16(c))	4	- 3 =	1	x	\$80.00	80.00
Multiple dependent claim(s), if any						
(37 CFR 1.16(d))	0			+	\$260.00	0

- ☐ Amendment cancelling extra claims enclosed.
- ☐ Amendment deleting multiple-dependencies enclosed.
- ☐ Fee for extra claims is not being paid at this time.

**Filing Fee Calculation: \$ 790.00**

B. ☐ Design application  
(\$310.00--37 CFR 1.16(f))

**Filing fee Calculation \$ \_\_\_\_\_**

C. ☐ Plant application  
(\$480.00--37 CFR 1.16(g))

**Filing fee calculation \$ \_\_\_\_\_**

11. Small Entity Statement(s)

- ☐ Statement(s) by inventor(s) that this is a filing by a small entity under 37 CFR 1.9 and 1.27 is (are) attached.

[X] will follow

(complete the following, if applicable)

[ ] Status as a small entity was claimed in prior application  
\_\_\_\_\_/\_\_\_\_\_, filed on \_\_\_\_\_,  
from which benefit is being claimed for this application  
under:

35 U.S.C.           [ ] 119(e),  
                    [ ] 120,  
                    [ ] 121,  
                    [ ] 365(c),

and which status as a small entity is still proper and  
desired.

[ ] A copy of the verified statement in the prior application  
is included.

**Filing Fee Calculation (50% of A, B or C above) \$\_\_\_\_\_**

12. Request for International-Type Search (37 CFR 1.104(d) )

(complete, if applicable)

[ ] Please prepare an international-type search report for  
this application at the time when national examination on  
the merits takes place.

13. Fee Payment Being Made at This Time

[ ] Not Enclosed

[ ] No filing fee is to be paid at this time.

[X] Enclosed

[X] Basic Filing Fee \$790.00

[ ] Recording assignment  
(\$40.00; 37 CFR 1.21(h))  
(See attached "COVER SHEET FOR ASSIGNMENT  
ACCOMPANYING NEW APPLICATION".) \$\_\_\_\_\_

[ ] Petition fee for filing by other than all the  
inventors or persons on behalf of the inventor

where inventor refused to sign or cannot be reached. (\$130.00; 37 CFR 1.47 and 1.17(h)) \$\_\_\_\_\_

[ ] For processing an application with a specification in a non-English language. (\$130.00; 37 CFR 1.52(d) and 1.17(k)) \$\_\_\_\_\_

[ ] Processing and retention fee \$130.00; 37 CFR 1.53(d) and 1.21(1)) \$\_\_\_\_\_

[ ] Fee for international-type search report (\$40.00; 37 CFR 1.21(e)) \$\_\_\_\_\_

**Total fees enclosed \$790.00**

14. Method of Payment of Fees

- [X] Check in the amount of \$790.00  
[ ] Check in the amount of \_\_\_\_\_  
[ ] Charge Account No. \_\_\_\_\_ in the amount of \$\_\_\_\_\_. A duplicate of this transmittal is attached.

15. Authorization to Charge Additional Fees

[X] The Commissioner is hereby authorized to charge the following additional fees by this paper and during the entire pendency of this application to Account No. 11-0245:

[X] 37 CFR 1.16(a), (f) or (g) (filing fees)

[X] 37 CFR 1.16(b), (c) and (d) (presentation of extra claims)

[X] 37 CFR 1.16(e) (surcharge for filing the basic filing fee and/or declaration on a date later than the filing date of the application)

[X] 37 CFR 1.17 (application processing fees)

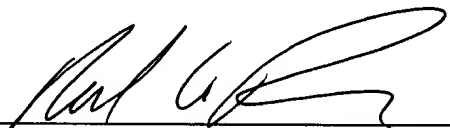
[ ] 37 CFR 1.18 (issue fee at or before mailing of Notice of Allowance, pursuant to 37 CFR 1.311(b) )

16. Instructions as to Overpayment

[X] Credit Account No. 11-0245

[ ] Refund

MAY 31 2001

  
Russel O. Primeaux, Reg. No. 37,213  
John D. Lauve, Reg. No. 46,408  
KEAN, MILLER, HAWTHORNE, D'ARMOND,  
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[ ] Incorporation by reference of added pages  
(check the following item if the application in this  
transmittal claims the benefit of prior U.S.  
application(s) (including an international application  
entering the U.S. stage as a continuation, divisional or  
C-I-P application) and complete and attach the ADDED  
PAGES FOR NEW APPLICATION TRANSMITTAL WHERE BENEFIT OF  
PRIOR U.S. APPLICATION(S) CLAIMED)

[ ] Plus Added Pages for New Application Transmittal  
Where Benefit of Prior U.S. Application(s) Claimed

Number of pages added \_\_\_\_\_

[ ] Plus Added Pages for Papers Referred to in Item 4  
Above

Number of pages added \_\_\_\_\_

[ ] Plus ``Cover Sheet for Assignment Accompanying New  
Application''

Number of pages added 0

**Statement Where No Further Pages Added**

[X] This transmittal ends with this page.



IN THE UNITED STATES OF AMERICA  
PATENT AND TRADEMARK OFFICE

**APPLICANT:** John Stephen Cart

**Title:** Composition of Drilling Fluids Comprising Ground Elastomeric Crumb Rubber Material and a Method of Decreasing Seepage and Whole Mud Loss Using Such Composition

**Docket No.:** 15564-1

EXPRESS MAIL CERTIFICATE

"Express Mail" Label Number: EL624378650US

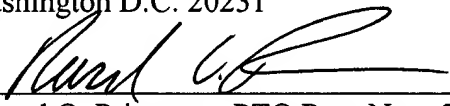
Date of Deposit: May 31, 2001

I hereby certify that the following attached paper or fee:

- New Application Transmittal ( 8 pages)
- Request for Non-Publication
- Deposit Account Authorization and Request (2 pages)
- Patent Application ( 17 pages of Specification, 1 page of Abstract, 4 pages of Claims, 2 sheets of Drawings)
- Information Disclosure Statement with Form PTO/SB/08A (with 15 patents)
- Check in the amount of \$790.00; and
- Postage paid and self-addressed return postcard;

is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to Box Patent Application, Assistant Commissioner for Patents, Washington D.C. 20231

Date: MAY 31 2001

  
Russel O. Primeaux, PTO Reg. No.: 37,213  
John D. Lauve, PTO Reg. No.: 46,408  
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Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**REQUEST AND CERTIFICATION  
UNDER  
35 U.S.C. 122(b)(2)(B)(i)**

First Named Inventor		John Stephen Cart
Title	Composition of Drilling Fluids Comprising Ground Elastomeric Crumb Rubber.	
Atty Docket Number		15564-1

I hereby certify that the invention disclosed in the attached application **has not and will not be** the subject of an application filed in another country, or under a multilateral agreement, that requires publication at eighteen months after filing. I hereby request that the attached application not be published under 35 U.S.C. 122(b).

MAY 31 2001

Date



Signature

Russel O. Primeaux, Reg. No. 37,213

Typed or printed name

This request must be signed in compliance with 37 CFR 1.33(b) and submitted with the application **upon filing**.

Applicant may rescind this nonpublication request at any time. If applicant rescinds a request that an application not be published under 35 U.S.C. 122(b), the application will be scheduled for publication at eighteen months from the earliest claimed filing date for which a benefit is claimed.

If applicant subsequently files an application directed to the invention disclosed in the attached application in another country, or under a multilateral international agreement, that requires publication of applications eighteen months after filing, the applicant **must** notify the United States Patent and Trademark Office of such filing within forty-five (45) days after the date of the filing of such foreign or international application. **Failure to do so will result in abandonment of this application (35 U.S.C. 122(b)(2)(B)(iii)).**

Burden Hour Statement: This collection of information is required by 37 CFR 1.213(a). The information is used by the public to request that an application not be published under 35 U.S.C. 122(b) (and the PTO to process that request). Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This form is estimated to take 6 minutes to complete. This time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

0992701-0501

IN THE UNITED STATES  
PATENT AND TRADEMARK OFFICE

j1046 U.S. PTO  
09/870871  
05/31/01

**In re Application of:**  
CART, John Stephen

**Docket No.:** 15564-1

**Title:** COMPOSITION OF DRILLING FLUIDS COMPRISING GROUND  
ELASTOMERIC CRUMB RUBBER MATERIAL AND A METHOD OF  
DECREASING SEEPAGE AND WHOLE MUD LOSS USING SUCH  
COMPOSITION

COMMISSIONER OF PATENTS AND TRADEMARKS  
WASHINGTON, D.C. 20231

DEPOSIT ACCOUNT AUTHORIZATION  
AND REQUEST FOR AUTOMATIC EXTENSIONS OF TIME

Dear Sir:

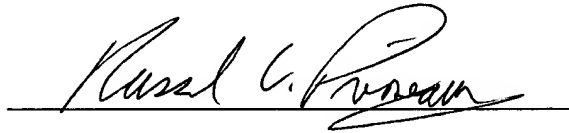
The Commissioner is hereby authorized to charge any fees under 37 C.F.R. §§ 1.16, 1.17, and 1.492 that may be required during the entire pendency of this application, and to credit any amounts paid in excess of those actually due, to Deposit Account No. 11-0245.

It is applicant's intention generally to pay all fees required under 37 C.F.R. §§ 1.16, 1.17, and 1.492 by timely-submitted checks. However, in those instances where no check is timely submitted, or where a check is submitted for an amount less than the amount required, the Commissioner is authorized to charge any fees under 37 C.F.R. §§ 1.16, 1.17, and 1.492 that may therefore be required during the entire pendency of this application to Deposit Account No. 11-0245.

Pursuant to 37 C.F.R. § 1.136(a)(3), please treat this paper as a request to treat any concurrent or future replies filed in this application, that require a petition for an extension of time under 37 C.F.R. § 1.13(a) for timely submission, as incorporating a petition for an

extension of time for the appropriate length of time. Where the necessary fees for an extension of time are not paid by contemporaneously-submitted check, please check Deposit Account No. 11-0245 as discussed above.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Russel O. Primeaux", is written over a horizontal line.

Russel O. Primeaux  
Registration No. 37,213  
KEAN, MILLER, HAWTHORNE, D'ARMOND,  
McCOWAN & JARMAN, L.L.P.  
P. O. Box 3513  
One American Place, 22<sup>nd</sup> Floor  
Baton Rouge, Louisiana 70821-3513

Date:           MAY 31 2001